# ROTICE OF SPECIAL ELECTION AND CITY CHARTER AMENDA

## Notice of Special Election

In pursuance of an Act of the Legislature of West Virginia passed at the 1919 session thereof, and in accordance with an order of the Board of Affairs of the City of Fairmont, West Virginia, a Special Election will be held at the regular voting places within the City of Fairmont, at which the evoters of said City of Fairmont are entitled to vote on

The Second Tuesday of June (June 10) 1919 for the purpose of voting on amendments to the charter of said City.

The ballots used at said election shall have written or printed thereon the words "For adoption of new charter amendments" and "Against adoption of new charter amendments."

And the poll shall be held, the election conducted, the official records beturned and the result ascertained in accordance with the provisions of law. And in further pursuance of the provisions of said act of the legislature of 1919, and by direction of said Board of Affairs said charter amendments are published herewith, to-wit:

## City Charter and Amendments

AN ACT to amend and re-enact sections four, five, six, seven, eight, fourteen seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twentythree, twenty-six, twenty-seven, twenty-eight, twenty-nine, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty,three, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, seventy-one, seventy-three, seventy-four, seventy-seven, seventy-nine, eighty, one hundred and one, one hundred and twelve-a, one hundred and eighteen, one hundred and twenty-eight, one hundred and thirty-three, one hundred and thirty eight, one hundred and thirty-nine, one hundred and forty-one, one hundred and forty-nine, one hundred and fifty-two, one hundred and fifty-nine of article one of chapter ten of the acts of the legislature, regular session, of one thousand nine hundred and fifteen entitled, "An act to amend and re-enact chapter eleven of the acts of one thousand eight hundred and ninety-nine incorporating the city of Fairmont, as amended by chapter one hundred and forty-three of the acts of one thousand nine hundred and one, and as further amended by chapter eighty-one of the acts of one thousand nine hundred and thirteen, of the legislature of West Virginia; defining the corporate limits on said city, amending the present charter, providing for registration of voters and prescribing the manner of holding city elections therein, and to repeal all acts and parts of acts inconsistent with the provisions of this act;" and by adding nineteen sections to article one of said chapter ten, to be known as sections nineteen-a, nineteen-b, nineteen-c, nineteen-de nineteen-e, nineteen-f, nineteen-g, nineteen-h, nineteen-i, nineteen-i eighty-a, eighty-b, ninety-a, one hundred and seven-a, one hundred and nine-a, one hundred and fifteen-a, one hundred and forty-nine-a, one hundred and fifty-eight-a, one hundred and fifty-eight-b, one hundred and fiftynine-a, and one hundred and fifty-nine-b, and repealing sections nine, ten, eleven, twelve, thirteen, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, fortyone, forty-two, seventy, eighty-two, one hundred and nineteen, one hundred and twenty-four, one hundred and twenty-five, one hundred and twentysix, one hundred and twenty-nine, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-two, one hundred and thirty-four. one hundred and thirty-five, one hundred and thirty-six, one hundred and forty, one hundred and forty-two, one hundred and forty-five, and one hundred and forty-eight of article one of chapter ten of the acts of one thousand nine hundred and fifteen, and sections one to two hundred and thirtyone, both inclusive, of article two of said chapter ten of the acts of one thousand nine hundred and fifteen.

### Be it enacted by the Legislature of West Virginia:

Section 1. That sections four, five, six, seven, eight, fourteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-eix, twenty-seven, twenty-eight, twenty-nine, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, seventy-seven, seventy-nine, eighty, one hundred and one, one hundred and twelve-a, one hundred and eighteen, one hundred and twenty-eight, one hundred and thirty-three, one hundred and thirty-three, one hundred and thirty-nine, one hundred and fifty-nine, one hundred and fifty-nine, one hundred and fifty-nine, of article one of chapter ten of the acts of the legislature, regular session, one thousand nine hundred and fifteen, be amended and re-enacted so to read as Section 1. That sections four, five, six, seven, eight, fourteen, seventeen, thousand nine hundred and fifteen, be amended and re-enacted so to read as

That nineteen additional sections be added to article one of said chapter, to be known as sections nineteen a to nineteen-i, inclusive, eighty-a, eighty-b, ninety-a, one hundred and seven-a, one hundred and nine-a, one hundred and fifteen-a, one hundred and forty-nine-a, one hundred and fifty-eight-b, one hundred and fifty-nine-a, and one hundred and fifty-nine-b to read as follows:

That sections nine, ten, eleven, twelve, thirtyen, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, seventy, eighty-two, one hundred and nineteen, one hundred and twenty-four, one hundred and twenty five one hundred and twenty-six, one hundred and twenty-nine, one hundred and thirty-one, one hundred and and thirty-two, one hundred and thirty-one, one hundred and forty-two one hundred and forty, one hundred and forty-five, one hundred and forty-five, and one hundred and forty-two one hundred and forty-five, and one hundred and forty-two one hundred and forty-five, one hun

### ARTICLE I.

The City of Fairmont

(1) Section 1. That part of the county of Marion included hereafter mentioned in section two is hereby made a city corporate and body politic by the name of "the city of Fairmont," and as such shall have perpetual succession and a common seal, and by that name may sue and be sued, plead with the impleaded, purchase, lease, sell and hold land and personal property essary to the purposes of said corporation. (C. 10 Acts 1915.)

Corporate Limits. (2) Section 2. The corporation territorial limits of the city of Fairmont

shall be as follows, to-wit: Bhall be as follows, to-wit:

Beginning at a point near the water edge on the south side of the West Fork river, about 70 feet below the Hunsaker bridge; thence north 41° 38′ W. 728 feet, passing over the south river span of said bridge and crossing said giver to a point on the slope above the B. & O. R. R. track on the north or west bank of said river; thence north 11° 11′ E. 3,271 feet crossing the Watson road; approximately following the ravine west of the Crawford house, and sassing west of the "Fairmont Farms Homestead"; to a regist on the southering passing west of the "Fairmont Farms Homestead" to a point on the southerly ride of Ninth street and westerly side of Coleman avenue; thence north 59° 45′ W. 320 feet and following the southerly line of Ninth street to the westerly line of Mt. Vernon avenue; thence north 30° 15′ E. 600 feet, following the westerly line of Mt. Vernon avenue to the southerly line of Eighth street; thence north 59° 45′ W. 780 feet, following the southerly line of Eighth street; thence northerly 15 feet to the southerly line of the right-of-way of the Monon-ranela Valley Traction Company: there following the southerly line of the southerly line of the Monon-ranela Valley Traction Company: thence north 59° 45′ W. 780 feet, following the southerly line of Eighth street; thence northerly 15 feet to the southerly line of the right-of-way of the Monongahela Valley Traction Company; thence following the said southerly line of right of way of said traction company, by a curve to the right, with a radius of 301.5 feet, a distance of 218 feet; thence still following said right of way, by curve to the left, with radius of 338.7 feet, for a distance of 241 feet; thence still by right of way and continued passing the point of curve 497 feet to a stake; thence north 18° 15′ west 901 feet to a hickory tree corner to present city limits and to the former limits of the town of West Fairmont; thence north 17° 11′ W. 2,676 feet, crossing the Clarksburg pike and Locust avenue line of the Monongahela Valley Traction Company to a point on the hill north of the Pine Grove road, near Pete Andy Fleming house; thence north 59° 24′ E. 5,090 feet to a point on a hill overlooking Buffalo creek; thence south 48° 12′ E. 7,082 feet, crossing the Monongahela river diagonally to a point on top of hill west of fair grounds; thence south 68° 37′ E. 686 feet to a corner of fair ground property; thence following the lines of fair ground property; and excluding same south 46° 43′ E. 104 feet; thence by fair ground property south 52° 25′ E. 497 feet; thence by fair ground property south 68° 24′ E. 746 feet to the line between fair grounds and right of way of the Monongahela Valley Traction Company; thence following line between fair grounds and Monongahela Valley Traction Company north 8° 30′ E. 452 feet to the line (extended) between Bowen and fair grounds; thence following line between Howen and fair grounds south 72° 37′ E. 251 feet to the between Monongahela Valley Traction Company north 8° 30′ E. 452 feet to the line (extended) between Bowen and fair grounds; thence following line between Bowen and fair grounds south 72° 37′ E. 351 feet to the westerly side of Morgantown avenue; thence following the westerly line of Morgantown avenue north 15° 48′ E. 313 feet to the northerly line of Meredith street, in the "Fairmont Industrial Company's addition" to the city of Fairmont; thence crossing Morgantown avenue and following the northerly line of Meredith street south 78° 5′ E. 768.7 feet to the westerly side of Speedway; thence north 1° 43′ E. 229 feet along the westerly side of Speedway to limits of the said Industrial

pempany's line; thence following the line between Meredith and Industrial Fempany south \$32° 33' E. 575 feet to stone corner at rear of lots fronting on Owens avenue, (laid out by said Industrial Company); thence by course and distance as laid down en said Industrial Company's map and at rear of lots as foresaid south 20° 24' E. 1.202.28 feet to a stone; thence by rear of lots as aforesaid 27° 10' W. 518.83 feet to a white rock; thence by rear of lots as aforesaid 27° 10' W. 518.83 feet to a white rock; thence by rear of lots as aforesaid 27° 10' W. 518.83 feet to a white rock; thence by rear of lots as aforesaid 27° 10' W. 518.83 feet to a white rock; thence by rear of lots as aforesaid south \$32° \$6' W. 830 feet to a locust stump; thence crossing a 40 ft. street and about south 44° W. 115' to the westerly side of an alley in the rear of lots facing on Owens avenue; thence following westerly line of said county road or boulevard with city varying courses, distance about 1.700 feet to its intersection with Owens avenue; thence crossing said boulevard with line (continued) between lots No. 421 and No. 422 (by said Industrial Company's map) south 15° 33' E. 142.6 feet to rear of lots fronting on Owens avenue to west side of Bungalow avenue; thence following west side of Bungalow avenue south 67° 51' W. 590 feet to line between lots Nos. 604 and 605 (said Industrial Company's map); thence by line between said lots Nos. 604 and 605 south 11° 29' E. 204 feet, crossing Owens avenue to rear of lots fronting on Owens avenue; thence by line at rear of said lots; thence by property line south 56° 13' W. 576.8 feet to a locust at rear of said lots; thence by property line south 56° 13' W. 576.8 feet to a stake in line old county road or Grafton pike the limits of said Industrial Company's property; thence leaving lines of said Industrial Company's property; thence and above Grand avenue; thence south 52° 54' W. 2.568 feet; crossing the Colfax road to a point on the hilliside east of the Pleasant Valley road; thence north

Wards. wards.

(3) Sec. 3. The territory of said city shall consist of eight wards, which shall be designated and known respectively as first, second, third, fourth, fifth, sixth, seventh and eighth wards, as they are at present bounded and defined. It is provided, however, that the board of directors hereinafter provided for, after the expiration of two years from the time this act takes effect, may by ordinance fix the boundaries and increase or decrease the number of wards

Municipal Authorities—Corporate Powers.

(4) Sec. 4. The municipal authorities of the city of Fairmont shall be four directors who shall constitute a board of directors and shall be known as the "board of directors of the city of Fairmont." All the corporate powers of said city shall be vested in, and exercised by, the board of directors or under its authority, except as otherwise provided in this act. (C. 21 Acts 1919.)

Powers of the Board of Directors.

(5) Sec. 5. The board of directors of said city shall and are hereby granted power to have said city surveyed; to open, vacate, broaden, change grade of, and pave streets, side-walks and gutters for public use, and to alter, improve, embellish and ornament and light the same, and to construct and maintain public sewers and laterals; and shall, in all cases, have power and authority to assess upon and collect from the property benefited thereby such part of the expense thereof as shall be fixed by ordinance, except as hereinfafter provided; to have control of all streets, avenues, roads, alleys and ground for public use in said city, and to regulate the use thereof and driving thereon, and to have the same kept in good order and free from obstruction, pollution or litter on or over them; to have the right to control all bridges within said city, and the traffic passing thereover; to change the name of any street, and to have the same kept in good order and free from obstruction, pollution or litter on or over them; to have the right to control all bridges within said city, and the traffic passing thereover; to change the name of any street, avenue or road within said city, and to cause the renumbering of houses on any street, avenue or road therein; to regulate and determine the width of streets, sidewalks, or roads therein; to regulate and determine the width of streets, sidewalks, roads and alleys; to order and direct the curbing and paving of sidewalks, roads and footways for public use in said city to be done and kept clean and in good order by the owners of adjacent property; to prohibit and punish the abuse of animals; to restrain and punish vagrants, mendicants, beggars, tramps, prostitutes, drunken or disorderly persons within the city, and to provide for their arrest and manner of punishmen; to prohibit and punish by fine the bringing into the city by steamboats, railroads or other carriers, of paupers or persons afflicted with contactous diseases; to control and suppress disorderly houses, houses of prostitution or ill-fame, houses of assignation, and gaming houses and to punish gaming; to prohibit within said city or within one mile thereof slaughter houses, soap or glue factories and houses of like kind; to control the construction and repair of all houses, basements, walls, bridges, culverts and sewers, and to prescribe and enforce all reasonable regulations affecting the construction of the same, and to re uire permits to be obtained for such buildings and structures, and plans and specifications thereof to be first submitted to a city architect or building inspector; to control the opening and construction of ditches, drains, sewers, cess-pools and gutters, and to deepen, widen and clear the same of stagnant water or filth, and to prevent obstruction therein, and to determine at whose expense the same shall be done; and to build and maintain fire station houses, police stations and jalis, and to regulate public corporations by chapter forty-two of the code of West Virginia of the edition of one thousand nine hundred and six, and as now amended; to purchase, sell lease or contract for and take care of all public buildings and strucchase, sell, lease or contract for and take care of all public buildings and struc-tures and real estate, including libraries and hospitals, deemed proper for use of such city; and for the protection of the public, to cause the removal of un-safe walls or buildings, and the filling of excavations; to prevent injury or annoyance to the business of individuals from anything dangerous, offensive or unwhole ome; to abate and prohibit or cause to be abated and prohibited all nuisances and to that end and thereabout to summon witnesses and hear testimony; to regulate the keeping of gunpowder, gasoline, dynamite and other combustible or dangerous articles; to regulate, restrain or prohibit the use of firecrackers or other explosives or fireworks and all noises or performances which may be dangerous, annoying to persons or tend to frighten horses or other animals; to provide and maintain proper places for the burial of the or other animals; to provide and maintain proper places for the burial of the price and to regulate interments therein upon such terms and conditions as to price and otherwise as may be determined, and to dispose of, discontinue and grant any cemetery; to provide for shade and ornamental trees and the protection of the same; to provide for the making of division fences; to make proper regulation for guarding against danger or damage from fires; to provide for the poor of the city, and to that end may contract with the proper authorities of Marion county to keep and maintain the poor, or any number thereof, upon terms to be agreed upon; to build, own and maintain a home for the poor; to make reasonable regulations in regard to the use of the streets and alleys for street cars, railroad engines, automobiles, and auto trucks, cars, and to regulate the running and operation of the same so as to prevent injury to the public and to the public highways; to prohibit prize fighting, cock and dog fighting; to license, tax, regulate or prohibit theatres, motion picture shows, circuses, the xhibition of showmen and shows of any kind, and the exhibition of natural or artificial curiosities, caravans, menageries, and musical exhibitions and performances, and other things or business on which the state does or may exact a license tax; to organize and maintain fire comthe state does or may exact a license tax; to organize and maintain fire companies and to provide necessary apparatus, eagines and implements for the same; to regulate and control the kind and manner of plumbing and electric wiring for the protection of the health and safety of said city; to levy taxes on persons, property and licenses; to license and tax dogs and other animals, and regulate, restrain and prohibit them and all other animals and fowls running at large; to provide revenue for the city, and appropriate the same to its expenses; to adopt rules for the transaction of business and for its own regulation and government; to promote the general welfare of the city and to protect the persons and property of citizens therein; to resultate and provide for tect the persons and property of citizens therein; to regulate and provide for the weighing of produce and other articles sold in said city, and to regulate the transportation thereof, and other things through the streets; to have the sole and exclusive right to grant, refuse, or revoke any and all licenses for the carrying on of any business within said city, on which the state exacts a license tax; to own and maintain a public market; to establish and regulats markets and to prescribe the time for holding the same, and what shall be sold in such markets and to acquire and hold property for market purposes; to regulate and prohibit the placing of signs, billboards, posters and advertisements in, on or over the streets, alleys, sidewalks and public grounds of said city; to regulate, or prohibit the placing of signs, billboards, posters and advertisements on private property within said city; to preserve and protect the peace, order and safety and health of the city and its inhabitants, including the right to regulate the sale and use of cocaine, morphine, oplum and poisonous drugs; to appoint and fix the place of holding city elections; to regulate the erection of gas works, telephone plants, electric lights works or water works or ferry boats in the city, and to own, lease, erect, operate and maintain gas works, telephone plants, electric light works, water works, including water plants, reservoirs, filters, pumping stations, water pipe lines, mains, laterals and connections, including all appliances, accessories and connections required in and about the operation of a water system, and to sell and furnish water. in and about the operation of a water system, and to seil and furnish water, gas and electric current to the city and the inhabitants thereof, and to persons and corporations within three miles of the corporate limits of the city, and for public use; to build, hold, purchase, own and operate toil bridges; to provide for the purity of water, milk, meats and provisions offered for sale in said city, and to that end provide for a system of inspecting the same, and making and enforcing rules for the regulation of their sale, and to prohibit

the sale of any unwholesome or tainted milk, meats, fish, fruits, vegetables of the sale of milk containing water or other things not constituting a part of pure milk; to provide for inspecting dairies and slaughter houses, whether in or outside of the city, where the milk and meat therefrom are offered for sale within said city; to prescribe and enforce ordinances and rules for the property of the city and its inhabitants, and to protect places of divine worship in and about the premises where held, and to punish violations of such ordinances even if the offense under and against the same shall constitute offenses under the law of the state of West Virginia or the common law; to provide for the employment and safe keeping of persons who may be committed in default of the payment of fines, penalties or costs under this act, who are otherwise unable to give bond to secure the payment of such fines and costs, or fail to discharge the same by putting them to work for the benefit of the city upon the streets or other places provided by said city, and to use such means to prevent their escape while at work as the board of directors may deem expedient; and the board of directors may fix a reasonable rate per day as wages to be althe sale of any unwholesome or tainted milk, meats, fish, fruits, vegetables or vent their escape while at work as the board of directors may deem expedient; and the board of directors may fix a reasonable rate per day as wages to be allowed such person until the fine and costs against him are thereby discharged; to compel the attendance at public meetings of the members of the board of directors; to have and exercise such additional rights, privileges and powers as are granted to municipalities by chapter forty-seven of the code of West Virginia of the edition of one thousand nine hundred and six, or as amended. For all such purposes, except that of taxation, the board of directors shall have jurisdiction, when necessary, for one mile beyond the corporate limits of said city, excepting any other municipal corporation or part thereof within said one mile limit. Said city of Fairmont as constituted by this act, shall retain, keep and succeed to all rights, privileges, property interest, claims and demands heretofore acquired by, vested in, or transferred to said city of Fairmont, as heretofore constituted.

And the board of directors shall have the right to establish, construct and maintain landings, ferries, wharves, and docks on any ground which does or shall belong to said city, or which it shall acquire, and to sell, lease, repair. alter, or remove any such landings, ferries, wharves, buildings or docks which have been or shall be constructed, and to levy and collect reasonable duty on vessels and other crafts coming to or using said landings, ferries, wharves, docks and buildings, and to preserve and protect the peace and good order at the same, and regulate the manner in which they shall be used and to have the sole right under state laws and in the same manner as now control count courts, to establish, construct, maintain, regulate and control all such wharve docks, ferries and landings within the corporate limits of said city; to enter into an article of agreement with the county court of Marion county for joint action on behalf of the city of Fairmont or any portion thereof with the magisterial district or districts adjacent to said city of Fairmont, for the permanent improvement of streets and roads within said city or magisterial districts, said article of agreement may provde for the selling of bonds of said magisterial district or districts including the city of Fairmont, upon an affirmative vote of three-fifths of all the votes cast at a special election called for this purpose by the authority of said county court.

by the authority of said county court.

The board of directors shall have power to construct and maintain bridges and retaining walls in any part of the said city, including the power to construct and maintain a bridge or bridges over and across the Monongahela river, the West Fork river or the Tygarts Valley river.

The board of directors shall have power to prohibit the manufacture, sale, keeping or storing for sale in the city, or offering, or exposing for sale all liquors or absinthe or any drink compounded with absinthe in said city, subject to the provisions of law, and liquors as used in this act shall be construed to embrace all malt, vinous or spirituous liquors, wine, porter ale, beer, or any other intoxicating drink, mixture or preparation of like nature; and all malt or brewed drinks, whether intoxicating or not, shall be deemed malt liquors within the meaning of this act; and all liquors, mixtures or preparations, whether patented or not, which shall produce intoxication, and all beverages containing so much as one-half of one per centum of alcohol by volume shall be deemed spirituous liquors, and all shall be embraced in the word liquors as used in this act. (C. 21 Acts 1919.) as used in this act. (C. 21 Acts 1919.)

Nominations and Election of the Board of Directors.

(6) Sec. 6. The first general municipal election for said city held hereunder shall be held on the second Tuesday of August, one thousand nine hundred and nineteen, at which time there shall be elected by the qualified voters
of the whole city, four directors, who shall constitute the said board of directors. All of the members of the board of directors elected at the said first
general municipal election shall begin their term of office on the first day of
September, one thousand nine hundred and nineteen and serve until the
thirtieth day of June, one thousand nine hundred and twenty-three, and until a
majority of their successors are elected and shall have qualified, and said members of the board of directors shall be elected from the city at large, except
that no two directors of the same political party as hereinafter defined shall
be elected from the same ward, and shall be nominated and voted for and
elected by the electors of said city in the manner hereinafter prescribed. The
mext general municipal election for said city shall be held on the second Tuesday in June, one thousand nine hundred and twenty-three, and on the same day
in every fourth year thereafter, at which there shall be elected by the qualified voters of the whole city, four directors, constituting said board of directors; and all members of the board of directors thereafter shall serve for a
term of four years, and until a majority of their successors are elected and
shall have qualified, except that no two directors of the same political party
as hereinafter defined shall be elected from the same ward, and shall be nominated and voted for and elected by the electors of said city in the manner
hereinafter prescribed; the term of office of the members of the board of directors, except those elected at the first general municipal election and end on the thirtieth day of July next after the general municipal election and end on the thirtieth day of July next after the

Vacancles. (7) Sec. 7. Vacancies in the board of directors shall be filled by the board of directors for the unexpired term, except vacancy resulting from a recall election. (C. 21 Acts 1919.)

Qualifications.

(8) Sec. 8. Members of the board of directors shall be residents of the city having the qualifications of electors therein and shall be free holders, owning real estate in said city. No member of the board of directors of said city shall hold any other elective office, or have any other employment, which will have not be designed. interfere with the duties of his office as memb ing his term of office; nor shall any member of the board of directors of employee of the city be interested in the profits or emoluments of any col tract, job work or services for the municipality. A member of the board of directors who shall cease to possess any of the qualifications herein required shall forthwith forfeit his office, and any such contract in which any member of the board of directors or any employee of the city is or may become interested shall be void. No more than two members of the board of directors elected or appointed shall belong to the same political party as defined by this act.

(9) Sec. 14. If any person elected as a member of the board of directions. tors fall to qualify as herein provided within thirty days after his said elec-tion, or shall after having been qualified, resign his office, or move from the city, or move into the same ward where another director of the same politica party lives, his office shall be vacated, or if a vacancy in his office occur from any other cause, except by recall election, the remaining members of said board of directors shall fill such vacancy for the unexpired term with some person qualified to hold said office. But said vacancy shall be filled by the appointment of a person openly and publicly recognized as belonging to and affiliated with the political party from which the person whose vacancy is to be filled was elected or appointed. Provided, however, the city executive committee of the political party from which the persons whose vacancy is to be filled was elected or appointed shall have the right to nominate one or more persons having the qualifications of a director and the board of director fill such vacancy by the appointment of some person so nominated by such committee. (C. 21 Acts 1919.)

Removal of Directors on Charges. Removal of Directors on Charges.

(10) Sec. 15. The board of directors shall have the right to hear, consider and act, on charges against any member of said board, and after having heard such proof of such charges, may remove such member of the board of directors, and declare his office vacant. But before such director shall be put to trial on said charges, he shall have at least ten days' written notice of the nature of said charges, and the time and nature of said charges and the time and place of hearing thereon, before said board of directors.

director shall be removed from his office by the board of directors except for one of the causes mentioned in section six of article four of the con-ctitution of West Virginia. (C. 10 Acts 1915.)

Rules of Directors.

(11) Sec. 16. The board of directors shall make proper rules for its government not contrary or inconsistent with any of the provisions of this act and it shall cause a record of its meetings and proceedings to be kept and recorded by its clerk in a well bound book, which shall remain in the custody and at the office of the city clerk open to public inspection. The minutes of the meetings and proceedings of said board of directors, after recordation and when signed by its presiding officer, shall be admitted as evidence in any court of record in this state. (C. 10 Acts 1915.)

Additional Officers.

(12) Sec. 17. In addition to the board of directors said city shall have a city clerk, city attorney, chief of police, chief of fire department, city physician, city engineer, city health officer and such other officers and agents as the board of directors may create or employ. The appointment and removal of all appointive officers named or provided for in this section shall be vested in the board of directors. (C. 21 Acts 1019.)

Qualifications of Voters.

(13) Sec. 18. Every person qualified by law to vote for members of the legislature of the state, and who has been a resident of said city for slatt day preceding the day of election, and of the ward in which he offers to vote thirty days, shall be entitled to vote at all elections held in said city or by or under the corporate authorities thereof, and any such qualified voter shall be entitled to vote for two candidates for members of the board of directors, and no more, at any general municipal election. (C. 21 Acts 1919.)

Manner of Holding Election.
(14) Sec. 19. The laws of the state of West Virginia governing the hold.